

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**December 31, 1997**

DIVISION TWO

B105933      Kimberly Allen Stith      (Not for Publication)  
                 v.  
                 Katherine Anderson et al.

The orders of dismissal are affirmed.

Fukuto, J.

We concur:    Boren, P.J.  
                     Nott, J.

B108766      Richard J. Eum      (Not for Publication)  
                 v.  
                 Andrew E. Smyth et al.

The judgment is reversed. The parties shall bear their own costs.

Fukuto, J.

We concur:    Boren, P.J.  
                     Nott, J.

DIVISION TWO (Continued)

B108949      Fainsbert, Mase, Snyder & Fafenrodt et al.      (Not for Publication)  
v.  
James L. Sackett et al.

That portion of the amended judgment which confirms the arbitrators' award in favor of FMSF in the amount of \$36,214.55 and in favor of McCullough in the amount of \$13,720.75 is affirmed. With the exception of the \$14 filing fee awarded to respondents, that portion of the amended judgment which awards FMSF and McCullough attorney fees and costs is reversed. Upon remand, the trial court is directed to strike from the amended judgment the \$17,547.25 sum which was awarded to each respondent for arbitration-related attorney fees (\$17,270.25) and costs (\$277) and to hold an evidentiary hearing to determine what portion of the remaining \$10,189 attorney fee award respondents incurred in obtaining confirmation of the arbitration award. That sum and that sum alone may be awarded to respondents as attorney fees. The parties shall bear their own costs, including their attorney fees, on appeal.

Fukuto, Acting P.J.

We concur:    Nott, J.  
                    Zebrowski, J.

B103316      People      (Not for Publication)  
v.  
Garcia et al.

The judgments are affirmed.

Fukuto, Acting P.J.

We concur:    Nott, J.  
                    Zebrowski, J.

DIVISION TWO (Continued)

B110635      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Norma T.

The order under review is affirmed.

Fukuto, Acting P.J.

We concur:    Nott, J.  
                 Zebrowski, J.

B110125      People      (Not for Publication)  
                 v.  
                 Denise C. Richards

The Court:

The judgment (order granting probation) is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

DIVISION THREE

B103209      Encore Industries, Inc.      (Not for Publication)  
                 v.  
                 Computer Enhancements Broking Services, Ltd.

Order granting motion to quash is reversed. Defendant to bear the costs of appeal.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                 Aranda, J. (Assigned)

December 31, 1997-Continued

### DIVISION THREE (Continued)

B110001 Benach  
v.  
County of Los Angeles, et al.

Filed order modifying opinion and certifying for publication. (No change in the judgment.)

B113884 State of California, etc., et al.  
v.  
Superior Court, Los Angeles County  
(Glovsky, et al., r.p.i.)

Filed order certifying opinion for publication. Petition for rehearing is denied.

DIVISION SIX

[illegible]

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                     Coffee, J.

[illegible]

The judgment is affirmed.

Stone, P.J.

We concur:    Gilbert, J.  
                              Yegan, J.